

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ALVENO A. MILBERRY,

Plaintiff,

v.

P.B.P.P. MS. BROWN, DOC CHARLES J.
WHITE,

Defendants.

CIVIL ACTION NO. 3:05-CV-1040

(JUDGE CAPUTO)

ORDER

NOW, this 15th day of August, 2005, upon review of Magistrate Judge Mannion's Report and Recommendation (Doc. 9) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

- (1) The Report and Recommendation (Doc. 9) of Magistrate Judge Mannion is **ADOPTED.**
- (2) The above captioned matter is **TRANSFERRED to the United States District Court for the Western District of Pennsylvania.**
- (3) The Clerk of the Court shall mark this case **CLOSED.**

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge